

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES DAVID ALLEN II,

Plaintiff,

V.

BOAKYE ACHEAMPONG, et al.,

Defendants.

C15-1072-TSZ-MAT

ORDER

The Court, having reviewed the Report and Recommendation (“R&R”) of the Honorable Mary Alice Theiler, docket no. 16, and plaintiff’s objections thereto, docket no. 17, does hereby find and ORDER:

(1) The Court ADOPTS the R&R. The R&R recommends dismissal of plaintiff's Second Amended Complaint, docket no. 15, without prejudice due to plaintiff's failure to state a claim upon which relief may be granted. The Court construes plaintiff's letter dated November 23, 2015, *see* Letter of Explanation, docket no. 17, as his objections to the R&R. However, that letter fails to challenge the R&R's analysis on the deficiencies of his Second Amended Complaint, and instead alleges only that there is

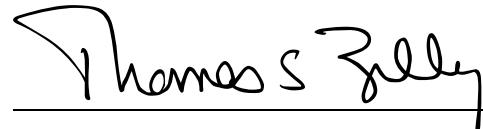
1 a strong amount of evidence proving his claims. Accordingly, the Court ADOPTS the
2 R&R.

3 (2) Plaintiff's Second Amended Complaint and this case are DISMISSED
4 without prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

5 (3) The Clerk is directed to send copies of this Order to plaintiff and to the
6 Honorable Mary Alice Theiler.

7 IT IS SO ORDERED.

8 Dated this 7th day of January, 2016.



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10 Thomas S. Zilly
11 United States District Judge
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